

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Trademark Registration No. 2,337,607)
For the Mark: WET 'N' WILD U.S.A.)

Mirage Cosmetics, Inc.,)
Petitioner,)

v.)

Markwins Beauty Products, Inc.,)
Registrant)

Cancellation No. 92044816

Commissioner of Trademarks
Trademark Trial and Appeal Board
BOX TTAB FEE
P.O. Box 1451
Alexandria, VA 22313-1451

MOTION FOR DEFAULT JUDGMENT

Pursuant to Trademark Rule 2.114, Petitioner Mirage Cosmetics, Inc. ("Mirage") hereby moves for entry of default judgment against Registrant Markwins Beauty Products, Inc.

("Markwins") for failure to respond to or defend against Mirage's Petition for Cancellation in the above-captioned proceeding.

In accordance with the Board's Notice (mailed August 9, 2005), Markwins response to Mirage's petition for cancellation was due not later than Monday, September 19, 2005, 40 days after mailing of the Notice to Markwins. Markwins failed to file a response within this period and to date has still failed to file a response. Accordingly, Mirage requests that the Board enter default judgment canceling Markwins registration no. 2,337,607 unless Markwins can




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demonstrate good cause for its failure to file a timely answer. *See* TBMP §§ 317, 508, Fed. R. Civ. P. 55.

DATED this 19th day of October, 2005

MIRAGE COSMETICS, INC.

By 
Marc C. Levy
Attorneys for Petitioner
PRESTON GATES & ELLIS LLP
925 Fourth Ave., Suite 2900
Seattle, WA 98104

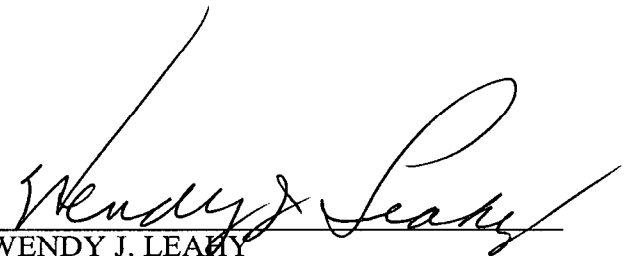
CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury of the laws of the State of Washington that on this 19th day of October, 5, I caused true and correct copies of the attached Motion for Default Judgment to be deposited in the U.S. mail, first class, postage prepaid, to the following:

Markwins Beauty Products, Inc.
22067 Ferrero Parkway
City of Industry, CA 91789

and to:

Mr. Daniel J. Coplan
Sheldon & Mak
9th Floor
225 South Lake Avenue
Pasadena, CA 91101-3021


WENDY J. LEAHY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
TRADEMARK TRIAL AND APPEAL BOARD

In re application of)
)
American Sports Licensing,) Examiner Rauen
Inc.)
) Law Office 103
Serial Number: 76/334,104)
) MOTION TO ENLARGE
Filed: 11/06/2001) TIME TO FILE AN
) APPEAL BRIEF
For: ATIVA and design)

Box TTAB, Commissioner for Trademarks
Alexandria, VA 22313-1451

MOTION TO ENLARGE TIME
TO FILE TO AN APPEAL BRIEF


Applicant's counsel requests an additional three (3) months in which to respond. Applicant is continuing its business and legal strategy to determine if the mark should be refiled.

Therefore, it is requested that the time in which to respond be enlarged up to and including January 28, 2006.

Respectfully submitted,

HUGH D. JAEGER, P.A.


10/18/2005


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ATTORNEY FOR APPLICANT

DOC/PLEAD/PL5023

CERTIFICATE OF MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage at first class mail in an envelope addressed to: Box TTAB, Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA,

22313-1451, on 10-19-05
J.A. BATH 
Print Name Signature



10-21-2005

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